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)Charge No: 1993 CF 2786
)EEOC No: 21 B 931900
)ALS No: 8049

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11. On January 7, 1999, an order was entered ordering the Respondent to serve a copy of its Motion upon the Illinois Department of Human Rights and ordering Complainant to file a response to Respondent's motion to dismiss by January 19, 1999. The order warned Complainant that failure to do so would be deemed as acquiescence to said motion.
12. On January 27, 1999, Respondent served the motion upon the Department.
13. To date, Complainant has filed no response and there has been no further action on this case.

Discussion

Respondent has submitted a copy of a Settlement Agreement and Release, which purports to have been signed by Complainant and his attorney and to have resolved all issues related to this Complaint. Further, Complainant has failed to file any response to Respondent's motion to dismiss, despite the Administrative Law Judge's January 7, 1999 warning that failure to do so would be deemed as acquiescence to said motion. As the Commission has previously stated, "We will not search the record to find reasons to deny a motion. If a motion appears valid on its face, and if the other side cannot tell us why the motion should not be granted, we will grant the motion." *Jones and Burlington Northern Railroad 25 Ill.HRC Rep. 101 at 102 (1986)*.

Conclusion of Law

The record supports that this matter has been settled and Complainant's failure to oppose Respondent's motion justifies dismissal of this matter with prejudice.

Determination

Respondent's motion should be granted, as it appears that this matter has been mutually resolved and Complainant has failed to present any opposition whatsoever to Respondent's motion.

Recommendation

I recommend that this Complaint and the underlying Charge be dismissed with prejudice.

HUMAN RIGHTS COMMISSION

BY: _____
SABRINA M. PATCH
Administrative Law Judge
Administrative Law section

ENTERED: November 8, 2001